

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROCKY JOE HOUSTON,)	
Plaintiff)	
v.)	No. 3:05-cv-345
STATE OF TENNESSEE, <i>et al.</i> ,)	
Defendants)	

MEMORANDUM AND ORDER

The court has been informed by the Clerk that the plaintiff has recently tendered 36 motions for entry of default and default judgment against some of the 64 defendants in this case. The record reflects that this court entered an order dismissing this case on August 8, 2005 [see Doc. 9], and that plaintiff filed a notice of appeal on September 9, 2005 [see Doc. 16]. It is well settled that a district court loses jurisdiction upon the filing of a notice of appeal. See, e.g., *Moody v. Pepsi-Cola Metropolitan Bottling Co., Inc.*, 915 F.2d 201, 206 (6th Cir. 1990). It was for this very reason that the court denied plaintiff's earlier, belated motion for entry of default against defendant St. Paul's Travelers, Inc. [see Doc. 15].

The court takes judicial notice of the fact that it would require one to two hours for a deputy clerk to scan the 36 motions for default onto the court's electronic docketing system, plaintiff being unable to do so. Because this court has already held that this case is frivolous, because the case is on appeal, and because the plaintiff is continuing to engage in nothing short of an abuse of process, the court hereby RELIEVES the clerk from docketing any further papers tendered by the plaintiff in this case - including the 36 motions for default - onto the court's electronic docketing system unless ordered otherwise by the United States Court of Appeals for the Sixth Circuit. The court simply does not have the resources to docket patently frivolous papers tendered by this plaintiff in a case over which the court no longer has jurisdiction pursuant to plaintiff's very own notice of appeal. Any further filings by the plaintiff need to be directed to the Sixth Circuit - not this court.

E N T E R :

s/ James H. Jarvis

UNITED STATES DISTRICT JUDGE